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THE OFFICE OF THE COMMISSIONER
OF BASEBALL and MAJOR LEAGUE
BASEBALL BLUE, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGEL HERNANDEZ,

Plaintiff,

v.

THE OFFICE OF THE COMMISSIONER OF
BASEBALL and MAJOR LEAGUE BASEBALL
BLUE, INC.

Defendants.

No. 18 Civ. 9035 (JPO) (GWG)

**NOTICE OF DEFENDANTS'
CROSS-MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, upon the accompanying Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1; Memorandum of Law in Support of Defendants' Cross-Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Partial Summary Judgment; Declaration of Neil H. Abramson, dated June 5, 2020, with exhibits attached thereto; Declaration of Joe Torre, dated June 3, 2020, with exhibits attached thereto; Declaration of Matthew McKendry, dated June 4, 2020, with exhibits attached thereto; Declaration of Peter Woodfork, dated June 3, 2020; Declaration of Denise Martin, Ph.D., dated June 3, 2020, with exhibits attached thereto; and all other pleadings and prior proceedings had herein, Defendants The Office of the Commissioner of Baseball and Major League Baseball Blue, Inc. (together,

“MLB”) shall move this Court before the Honorable J. Paul Oetken, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, at such date and time as the Court may direct, for an Order pursuant to Federal Rule of Civil Procedure 56 granting summary judgment in favor of MLB and dismissing Plaintiff’s First Amended Complaint (ECF Dkt. 35) and Plaintiff’s Amendment to His Complaint (ECF Dkt. 123) with prejudice in their entirety, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the Court’s May 14, 2020 Order (ECF Dkt. 150), Plaintiff’s Reply Brief Both in Support of his Motion for Summary Judgment and in Opposition to Defendants’ Cross-Motion for Summary Judgment must be served on or before July 17, 2020, and Defendants’ Reply Brief in Support of its Motion for Summary Judgment must be served on or before August 14, 2020.

Dated: New York, New York
June 5, 2020

PROSKAUER ROSE LLP

By: /s/ Neil H. Abramson

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